

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Julie Nikols on 7/18/2008.

The application has been amended as follows:

**Claim <sup>25</sup>24, line 4:** anchoring the distal portion of the catheter device in the nucleus after it has been positioned to maintain the distal portion in the disc nucleus so that the catheter device will remain in the nucleus upon movement of the patient;

pm 8/25/08

**Claim 31, line 4:** anchoring the distal portion of the catheter device in the nucleus after it has been positioned to maintain the distal portion in the disc nucleus so that the catheter device will remain in the nucleus upon movement of the patient;

**Claim 33, line 4:** anchoring the distal portion of the catheter device in the nucleus after it has been positioned to maintain the distal portion in the disc nucleus so that the catheter device will remain in the nucleus upon movement of the patient;